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SCHIFF HARDIN LLP

PATENT DEPARTMENT

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RE APPLICATION OF:

Deuringer et al

GROUP ART UNIT: 2882

SERIAL NO.:

10/813,773

EXAMINER: Jurie Yun

FILED:

March 31, 2004

CONFIRMATION NO.: 5205

TITLE:

"APPARATUS FOR GENERATING X-RAYS"

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE DECEMBER 12, 2005 OFFICE ACTION

MAIL STOP AMENDMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*9	MINUS	**20	X 18	() X 25.00 () X 50.00	
INDEP. CLAIMS	1	MINUS	3	X	() X 100.00 () X 200.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$180.00 () \$360.00 ONE TIME	
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

**

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

☐

Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

☒A check in the amount of \$ 180.00 is attached.☒A check for \$ 180 accompanying IDS under 37 CFR 1.97(c) is attached☐

A check for \$ _____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

☒

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN LLP (Customer Number: 26574)

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 2, 2006.

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

March 2, 2006

DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER 37 C.F.R. §1.116 TO THE DECEMBER 12, 2005 OFFICE ACTION

APPLICANTS: Deuringer et al. GROUP ART UNIT: 2882
SERIAL NO.: 10/813,773 EXAMINER: Jurie Yun
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S I R:

Applicants and their counsel have carefully reviewed the Office Action dated December 12, 2005, but believe the claims in their present form are patentable over the references relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS

In the Office Action dated December 12, 2005, claim 1 was rejected under 35 U.S.C. §112, second paragraph because the Examiner stated the terms "for use with" and "adapted for" recite intended use and do not convey any structural limitations. Applicants are well aware of the non-limiting meaning of these terms, which is precisely why they were used in claim 1. The use of the term "adapted for" is the generally accepted way of describing an environment of the claimed subject matter, in order to provide antecedent basis for a later reference in the same claim, but without including the material following the "adapted for" phrase as a part of the affirmatively claimed subject matter. For example, the term "adapted for" is